

December 9, 2015

Hon. Judge Alison J. Nathan
United States District Judge
Southern District of New York
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

Re: 4cv08529 Tapia v. BLCH 3rd Ave.

Dear Honorable Judge Nathan,

I represent the defendants in the above-noted matter. As per the order of Your Honor dated December 7, 2015, I am submitting this confirmation letter as instructed by the Honorable Court.

As per the order, I have emailed the trial affidavits to the Your Honor's chambers (according to the Individual Practices). A Joint Pre-Trial Order has also been filed through ECF after consulting with the Plaintiffs' attorney. I have also filed Proposed Finding of Facts and Proposed Conclusions of Law through ECF.

Additionally, and as per the order of December 7, 2015, I requested a transcript of the conference held on December 4, 2015. A confirmation email for the receipt of the order is enclosed with this letter. The transcript was received from the Court Reporter. A copy of the transcript and the email enclosing the transcript has been produced with this letter. Further, I emailed a copy of the transcript to my clients. A copy of the email sent to my clients is also enclosed.

I was also instructed to inform the Honorable Court regarding my participation in the trial. I have tried and thought of all possibilities of attending to my personal family matters in India and balance them to attend the trial. However, it will be very tough for me to get out of my personal family matters to attend the trial. Therefore, I sincerely apologize to the Honorable Court that I will not be able to attend the trial scheduled to begin on January 11, 2016. I have personally conveyed this information to my clients. I will be available to my clients via phone and email if they require any of my assistance.

Thank you for your kind attention to this matter.

Sincerely,



Nitin Kaushik